

"Plural Peace" - Principles of a New Russia Policy

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„Plural Peace“ – Principles of a New Russia Policy

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Summary

The annexation of Crimea plunged Russia and the West into a serious confrontation with considerable escalation potential. There appears to be no way out and the new US president will not be able to restore relations with a magic deal, even if he tries to create this impression in his own inimitable way. It is, therefore, high time to reflect more thoroughly on why both sides have become involved in this increasingly militarized confrontation and what path might lead them out of it. All sides agree that long pent-up tensions were released during the Ukraine crisis. However, the official causes of this estrangement are controversial. The Russian narrative makes the West and its flawed policy of NATO expansion responsible, while the West sees the fault in Putin having become autocratic which required a foreign-policy opponent to achieve political backing at home. Both agree that the other side was solely responsible and that, against this background, the confrontation was inevitable. However, we show that the escalation of this conflict was based on causes which did not predetermine the behaviour of the actors. Moreover, the causes of the conflict by no means justify such a confrontation or prevent a way out of it.

Western policy towards Russia followed a strategy which can be described as 'Liberal Peace' and was based on transformation and integration – seen as integrating Russia into the liberal institutions and norms of the West. At the outset, the Charter of Paris, drawn up by the Conference on Security and Co-operation in Europe (CSCE) in 1990, appeared to outline consensual norms and rules that gave the transformation both addressees and direction. In fact, early on, both sides focused on different aspects. While the West insisted on democratization, Russia's priority lay in creating common security. At the same time, the implied lack of alternatives to the liberal model blocked the Western view of real normative opposites. It also explains why the West has nonchalantly ignored Russian objections, security needs and status requirements, and even presented the expansion of Western European institutions right up to the Russian border as a win-win strategy, even though Moscow was only offered a back seat, at best. The more Moscow opposed the role thrust upon it, deviating from the political West and propagating an alternative model of Eurasian order, the more the contradictions of the West's programme of liberal transformation came to light. Instead of serving the proclaimed goal of a "Europe, whole and free", this value-based strategy created new divides and turned into a zone of influence policy leading to rising costs for all parties involved. Increasingly, the contradictions of the liberal transformation strategy also spread to the West itself, firstly, as an illiberal backlash and, secondly, as a refusal to continue to bear the political and material costs of the transformation.

Against the backdrop of the growing contradictions surrounding 'Liberal Peace' and its lack of perspective, we propose 'Plural Peace' as an alternative model. It focuses on achieving peace through dissociation. Here, dissociation does not mean erecting new walls, as it does on the other side of the Atlantic, but outlining a clear demarcation of rights. The basic idea is simple. Since the desire to achieve peace through ever closer cooperation in the circle of normatively different states leads to friction, we propose

achieving peace by recognizing normative differences and by demarcation – thereby giving the cooperation a new and more stable foundation. This model takes lessons from the policy of détente in the 1970s and adapts it to today's conditions.

Since the liberal norms of the Paris Charter have proved too demanding, we propose a return to basic norms of coexistence, such as those outlined in John Rawls' *The Law of Peoples*. In view of recent Russian legal violations, an affirmation of the central norm of territorial integrity and the sovereignty of states is not a matter of course, but nevertheless still possible – especially since Russia is not alone in conducting this practice. Furthermore, dissociation means ending the struggle for zones of influence through demarcation. Since, unlike the East-West conflict, neither economic interaction nor the character of political conflicts present arguments for complete isolation, we propose functionally graded forms of dissociation.

Dissociation aims to permanently and reliably de-escalate acute territorial conflicts, such as in Ukraine. In Donbas, we believe this will most likely be achieved through internationalization, while in Crimea, by suspending relations and through Russian compensation in exchange for recognition of secession by Kiev. This will result in a differentiated handling of EU sanctions which, in the case of the Crimea, should be made permanent according to the status and, in the case of Donbas, be flexible in line with progress made on cooperation. This would have to be flanked by reviving arms controls.

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1. Introduction

The year 2016 was Vladimir Putin's year. Observers on both sides agree on this, despite the deep divides separating both parties since 2014. (Wehner 2016; Timofeev 2017; Dugin 2016). Frustrated resignation in the West, paradigmatically represented by Brexit and Donald Trump, is contrasted on the Russian side by the triumphalism of a power which has achieved its foreign policy aims – yet appears content not to descend further into economic crisis. Even though this is reminiscent of the later stages of the Brezhnev era – Soviet territorial gains in the Third World combined with economic stagnation at home – such a crushing result begs the question whether this is Russia's doing or a failure of the West. Obviously, the basic parameters of Western policy, which Francis Fukuyama once termed the “End of History”, have lost their relevance and plausibility; less obvious is whether this is temporary or permanent. In any case, the impression is growing that, at least externally, Russia is by no means a hopelessly backward great power following the pattern of the 19th century. Rather, it seems to some as if Russia is presenting the West with an image of its own future.

According to Moscow's interpretation, this reversal of the neat liberal order, in place since the end of the Cold War, is the reason for the outbreak of the new confrontation: The West cannot accept its loss of meaning and orientation and seeks, through confrontation, to generate internal coherence and allegiance. The same reading is also found in reverse, referring to Vladimir Putin's regime, which owes its ability to survive internally to its artificially fuelled fortress mentality externally. There is, therefore, a fairly direct link between mutual perception and the current level of confrontation. This follows a meanwhile well-established pattern of interaction: Russia retaliates in kind to each sanction and with a counter-measure to any military measure taken by NATO – and vice versa. It is not difficult to imagine how this conflict might continue to escalate: on the Western side, for example, the permanent deployment of major NATO units in the new Member States and arms deliveries to Ukraine; on the Russian side, the deployment of tactical nuclear weapons near the border and the termination of the INF Treaty on land-based intermediate-range nuclear weapons from December 1987. The logical way out of this pattern would then be a departure of Putin or a military confrontation. The third scenario – a change of course by the West – has not seriously been considered yet, but can no longer be excluded after the election of Donald Trump (Spanger 2017; Kagan 2016).

This finding raises the question as to how the conflicts between Russia and the West were bottled up over such a long period that they could no longer be controlled and instead erupted so quickly and thoroughly after the EU's Eastern Partnership Summit in Vilnius in December 2013. This also poses the question how to characterize this new confrontational reality and, more importantly, what paths are available to de-escalate this spiralling conflict. These questions are examined in the empirical analyses contained in chapters 2 and 3 of the present report. We argue that the rapid and dramatic deterioration of relations cannot solely be explained by a misguided Western policy or by the idiosyncrasies of the Russian regime. Such explanations underestimate historical

contingency and the subjective factor (or agency), the possibility of pragmatic compromises and the importance of symbolic politics.

The policy of the West towards Eastern Europe and Russia has followed a model of 'Liberal Peace' since 1990. At its core is the assumption that the values of the political West have universal validity and its organizational forms are widely transferable. This may be true for the secular 'process of civilization' (Norbert Elias), but it cannot easily be applied as guiding principle of today. In Europe, this policy was spelled out in the CSCE's Charter of Paris from 1990 and met with the explicit approval of all parties involved. The Charter of Paris proclaimed "a new era of Democracy, Peace and Unity" in Europe and committed Member States "to build, consolidate and strengthen democracy as the only system of government of our nations". In the international realm these liberal norms corresponded to the norms of equality for all states and the freedom of alliance.

The Paris Charter calls for change, particularly among Eastern CSCE members. Their transformation was regarded as a difficult but more or less linear process reliably backed up through NATO and EU enlargement. Since the West believed (and believes) there was (and is) no alternative to its values and organizational principles, it was (and is) convinced that the transformation and accompanying enlargement of NATO and the EU not only offered stability and were normatively justified, but must also genuinely be in the Russian interest. Moscow's early claims to the contrary were seen as an expression of the turmoil and lack of insight in the early 1990s and have since only served to underline the Western view that the country has departed from once jointly ratified democratic principles.

Contrary to the West's assumption of a shared vision, it was soon apparent that although both sides used similar formulae, they had a different understanding of them. While the West focussed on common values, Russia emphasized the principle of common security, also laid down in the Charter of Paris. Russia also fought with increasing vigour against being inserted into this liberal order and insisted, instead, on cooperation among equals whilst recognizing normative differences. Contradictions also arose because the attractiveness and transformative power of the political West decreased with its (geographic and normative) distance and because the liberal transformation, even in the Western core, is increasingly regarded as overly burdensome. If the West had originally believed it was exporting NATO security to the East, it was actually importing anti-Russian reflexes. And whereas in practise the EU only exported liberal principles to a limited degree, it was importing what Viktor Orbán in Hungary labelled 'illiberal democracy' and what others like Jaroslaw Kaczynski were practicing in Poland with the same verve. It took a long time for this sobering realization to reach Berlin and Brussels and it has not yet been properly processed. What it means for Western politics is completely open – especially since it is not a matter of implementing cosmetic measures but poses a fundamental challenge.

This finding raises the question whether an alternative paradigm can be designed which may lead to another course of action capable of overcoming the current confrontation. In Chapter 4, we propose such an alternative paradigm with 'Plural Peace' and develop appropriate strategies that differ from those of 'Liberal Peace'. In Chapter 5,

we outline the implementation of these in terms of a new Western policy towards Russia and Chapter 6 contains considerations on current conflict management in Ukraine. The political recommendations developed in this report principally address the West – NATO, the EU and its Member States. On the one hand, these are our direct addressees; on the other hand, this focus is based on the observation that the West has been setting the tone and direction since 1990, while, to date, Russia has mostly been reactive.

2. The confrontation and its causes

2.1 Where are we? From Cold Peace to Cold War

At the end of 1994 during the Budapest CSCE summit, then Russian President Boris Yeltsin warned of the danger of Europe falling into a "Cold Peace", his reaction to the enlargement of NATO which had just been officially announced by the alliance.¹ Meanwhile, we have moved on, not just with the expansion of NATO. Rather, an irreconcilability has developed in relations between Russia and the West and political discourse is taking place in parallel worlds which could have been taken directly from the script of Andrei Zhdanov's two-camp theory from 1947. It is, therefore, not surprising that the Cold War has served repeatedly since 2007 and continuously since 2013 to characterize the new East-West relations (Legvold 2016).²

This diagnosis has been challenged, in particular on the grounds that there is no ideologically charged conflict any more – Vladimir Putin's officially introduced 'traditional values' as a contrast to the postmodern 'Gayropa' are an artificial riposte which lost momentum shortly after their introduction and were unable to conceal their instrumental function from the start (Spanger, 2014). Moreover, relations between Russia and the West these days can hardly be seen as the gravitational axis of the international system. The two worlds of the Cold War, not only objectively incompatible but also postulating an uncompromising claim to sole representation, no longer exist. The latter can only be found today in asymmetric form: The West is offensively claiming a position in the mainstream of civilization in the name of liberal-democratic universalism and in line with historical progress, while Russia is much more defensive and is vying for recognition of alternative 'development models' or competing 'civilizations' on behalf of more successful companions such as China.³ Prior to this, de-ideologization prevailed and in Russian eyes it was the West alone, with its liberal postulates, to fight the ideological

1 New York Times, Yeltsin Says NATO Is Trying To Split Continent Again, 6 December 1994, <http://nyti.ms/2lnPXYA>; see also Kozyrev 1995.

2 From a Russian perspective, see inter alia Trenin 2014.

3 See also a programmatic article by Foreign Minister Lavrov 2016 which, from its publication until today (July 2017), adorns the homepage of the Ministry of Foreign Affairs, and states the following when referring to China, "This example illustrates an axiomatic fact – there are many development models – which rules out the monotony of existence within the uniform, Western frame of reference."

battles of the past. In contrast, Russia was entirely committed to pragmatism and its national interests.

At the same time, however, both sides were confronted with reciprocal expectations that demanded unilateral adjustment and were championed by increasing militancy. Russia, in disassociating itself from the much-scorned hegemony of the US, reclaimed multipolarism (both as a global trend and political goal), and in conjunction advocated equality and equal rights as well as a 'Concert of Great Powers'. Against the backdrop of global power shifts, triggered by the rise of China and advanced by the collective self-assurance of the BRICS, Moscow focussed completely on transforming the international order. This was and is accompanied by an equally complete negation of the internal dimension, the political regimes and their differences as decisive policy benchmarks in the West. From 2011, this resulted in a kind of regime-change paranoia which attributed the overthrow of any authoritarian regime in the world to American machinations and its drive to pursue geostrategic goals in order to escape the growing pressure of multipolarism.⁴

However, the Kremlin is rational enough to maximize its own advantage in accordance to the incriminated premonition and fright. Thus, on the wave of global right-wing populism and secessionism, it also operates a policy of regime change for its own purposes, but it is more or less clandestine, whether by financially supporting the congresses in Russia of obscure independence groups, or through personal, propagandistic and material contributions to European right-wing radicals or through involvement in militant operations, both in the immediate neighbourhood and on a large scale, as in Donbas, or in more remote areas and on a smaller scale, such as in parliamentary elections in Montenegro on 16 October 2016.⁵

This great power constriction found its mirror image on the Western side in the proclamation of liberal principles, combined with its claim to global rule-setter. On the West's part there was nothing short of complete ignorance of the interests that characterize great powers. The West opposed this supposedly antiquated political pattern with the magical 'Kant triangle' of Bruce Russett and John Oneal. It believed that the spread of democracy, international organization and economic interdependence would mutually strengthen each another in such a way to become the key to overcoming all global problems (Russett and Oneal 2001).

Even without the bipolarism and the ideological antagonism of the East-West conflict, we are now confronted with a symmetrical conflict over the global order. In this conflict, Russia is concentrating on the international balance of power which is to be shaped by democratizing the international system in the sense of multipolarism. The West, on the other hand, is focussing on the national balance of power which is to be shaped by

4 This paranoia not only affects protest and resistance to regimes in post-Soviet regions but goes far beyond it, both spatially and temporally. Regardless of the fact that the Tunisian and Egyptian regimes were closely allied to the West, the Arab spring was equally subsumed as the Hungarian uprising in 1956 fittingly referred to on the occasion of the anniversary in October 2016.

5 See Petrovskaya 2016; and prior to this: Lomonosov 2016.

democratizing political regimes in the sense of liberal globalism. There is not much consent left: From the Russian perspective, the liberal ideology of the West is merely a veil to defend its own supremacy, whereas the Western perspective is that Russia’s insistence on a multipolar order merely serves to defend its authoritarian rule. This has resulted in a revealing intersection: While Russia is a revisionist power in terms of foreign policy and the West defends the status quo, precisely the opposite is the case with respect to domestic policy: Here, Russia defends the status quo and the West aspires to regime change – but is increasingly under pressure from supposedly anti-elite right-wing populism with its fascist side-effects – which, if nothing else, is blamed on Russia and its ‘hybrid information war’.

2.2 How did we get here? History of a separation

The cul-de-sac into which both sides have manoeuvred themselves has also manifested itself in the official as well as academic evaluation of the causes of the current crisis in Ukraine (Rieker/Gjerde 2016). As in the game of chicken, both narratives describe the confrontation as an inevitable result of a failed policy on the other side – the West’s foreign policy and the East’s domestic policy. A more detailed view, however, reveals that this combination of blame and determinism can mask its own intransigence, but is in fact highly questionable. The confrontation was and is certainly neither inevitable nor adequately summarized with one-sided explanations.

2.2.1 The Russian perspective

Since 2014, Vladimir Putin has repeatedly articulated what dominates political discourse in Russia – that the Ukraine crisis is by no means a cause but merely a symptom of the current confrontation. Had it not taken place then the West would have found “any other pretext”: “They are simply unhappy with the fact that Russia is about to become a fully-fledged international player – and I would say it has already become one.” The West, and especially the US, were not concerned with solving common problems but with the “Containment of Russia” – a policy that had its origins in Yugoslavia in the 1990s.⁶ This is due to the intensifying “confrontation between different visions as to how the mechanisms of global governance should be designed in the 21st century”. Even more: “Some of our partners are stubbornly trying to preserve their monopoly of geopolitical dominance. They are using centuries of experience in oppressing, weakening and pitting opponents against themselves and are relying heavily on increased political, economic, financial and recently also informational leverage.” This also includes, in particular, “the practice of interfering in the internal affairs of other countries, provoking regional conflicts, exporting so-called ‘colour revolutions’ and so on. As part of this policy, they

6 Vladimir Putin answered questions from Russian journalists following the BRICS Summit, 16 October 2016, <http://en.kremlin.ru/events/president/news/53103>.

sometimes resort to complicity with terrorists, fundamentalists, ultra-right nationalists and even self-professed neo-fascists”.⁷

Others, such as Foreign Minister Sergei Lavrov or before him the Secretary of the Security Council, Nikolai Patrushev, go one step further. By stylizing Russia as the secular victim of centuries of Western encirclement and expansion, they display a newly awakened paranoia which makes it all the more difficult to overcome this confrontational pattern. In a remarkable about-face, Lavrov doesn't even shy away from stylizing the medieval 'Mongolian yoke' as an act of liberation and as salvation from the West:

“Let us recall in this connection the policy pursued by Grand Prince Alexander Nevsky, who opted to temporarily submit to Golden Horde rulers, who were tolerant of Christianity, in order to uphold the Russians' right to have a faith of their own and to decide their fate, despite the European West's attempts to put Russian lands under full control and to deprive Russians of their identity. I am confident that this wise and forward-looking policy is in our genes.” (Lavrov 2016)⁸

Apart from the fact that 'Europe' and the 'West' at that time represented only geographic categories, this approach may justify taking a special Eurasian path but it certainly does not get round the backwardness and marginalisation that he complains Europe has always ascribed to Russia. On the contrary, as with Germany's comparable phantom pain of the 19th and early 20th century and its devastating consequences, this special path will soon turn out to be a dead end.

Moscow, however, is not alone in its complaining and has found occasional backing also in the West – academic support from the camp of realism and political support from that of right-wing populism. Consequently, for the most outspoken realist John Mearsheimer, the real cause of the current crisis lies in the policy of NATO enlargement and particularly in the decision of the NATO summit in Bucharest in 2008 that 'one day' Ukraine and Georgia will become members of the alliance. Moscow has had to interpret this intention as a threat to its core security interests. The same was true of the planned EU association of Ukraine as a “pretext for the expansion of NATO”. Russia's insistence on a zone of influence, on the other hand, is defensively motivated and does not represent a threat to the interests of the US or its allies (Mearsheimer 2014).⁹ Why, however, as

7 Vladimir Putin addressed the eighth meeting of Russian Federation ambassadors and permanent envoys at the Russian Foreign Ministry, 30 June 2016, <http://en.kremlin.ru/events/president/news/52298>. At the Valdai meeting in October 2016, he added globalization to this list, “They chose the road of globalisation and security for their own beloved selves, for the select few, and not for all”. In the era before Trump, this was aimed at cooperation agreements such as TPP and TTIP, in which Russia was not included and on which Putin notes that the West “is bypassing the World Trade Organization and trying to create closed economic alliances with strict rules and barriers, the main users of which are their own transnational corporations”, Meeting of the Valdai International Discussion Club, 27 October 2016, <https://tinyurl.com/ya6k8q9g>.

8 Patrushev limited his analogy to the Western encirclement of the USSR; See his interview in the newspaper *Rossiyskaya Gazeta*, “Vtoraya, ‘cholodnya””, 15 October 2014, in: <https://tinyurl.com/krq5mk2>.

9 Barry Posen posits a similar argument: Russia is no longer a security risk because of its lack of resources (Posen, 2014). Stephen Walt seconds this and suggests that in such a situation, economic and military counter-measures would not have the intended effect of deterring aggressive intentions, but would trigger an action-response spiral and merely increase mutual uncertainty (Walt 2015).

Michael McFaul rightly notes, it was possible to 'reset' relations with the US and establish a 'modernization partnership' with the EU during the presidency of Medvedev, does not conform to such an explanation.¹⁰

The empirical evidence for Moscow's far-reaching accusations essentially falls into two categories: on the one hand, interventions in Iraq, Libya, Syria and, for the sake of completeness, also in Afghanistan were not only cases of meddling in the internal affairs of sovereign states, and hence a violation of international law, but also had only one result: chaos.¹¹ In addition, the US termination of the ABM Treaty on missile defence – given the potential impact on Russia's second-strike capability, the ultimate guarantee of its great power status and, therefore, "perhaps the most important issue" according to Putin¹² – and the expansion of NATO were repeatedly criticized since 1994 and increasingly denounced since 2008.

The practical consequences are pertinent. The invectives serve to justify a policy of taking a sharp axe to split a tough log. This was to put the West in its place and enforce what could not be achieved cooperatively in the twenty years after the Cold War: eliminating the international order, which, according to Moscow, was shaped and dominated by the West.¹³ That Moscow's new love of military power was not only reminiscent of the Soviet Union, but also, in the absence of any alternative, became the means of choice, refers to the Western narrative.

2.2.2 The Western perspective

Complementary to the Kremlin perspective, Western remonstrations with Moscow focus on the authoritarian deconstruction of the political regime in post-Soviet Russia. However, on the Western side and especially in Europe, there are no allegations submitted at a comparably high political level as the Kremlin. Given the unusual

¹⁰ See inter alia McFaul 2015, 2016.

¹¹ Vladimir Putin spoke at the plenary session of the St Petersburg International Economic Forum, 17 June 2016, <http://en.kremlin.ru/events/president/news/52178>.

¹² Ibid. When the Bush administration made the announcement at the end of 2001, Putin's response was even more cautious: "And given the nature of the relationship between the United States and Russia, one can rest assured that whatever final solution is found, it will not threaten or put to threat the interests of both our countries and of the world"; President Bush and President Putin Talk to Crawford Students, 15 November 2001, <https://georgewbush-whitehouse.archives.gov/news/releases/2001/11/20011115-4.html>. However, on 14 June 2002, Russia declared that it was no longer bound by the START II Treaty on the Limitation of Strategic Nuclear Weapons after the State Duma, when ratifying it on 6 May 2000, had declared its right to withdraw from START II in the event of a violation of the ABM Treaty by the US. For the impairment of Russia's second strike capability compare the paper by Lieber and Press (2006) that has been widely noticed in Russia.

¹³ The general director of the semi-official Russian Council for International Affairs, Andrey Kortunov, was critical of this and compared widespread Russian criticism of the liberal world order with 19th century Luddism. His conclusion, "Thus, the liberal world order is not the only theoretically possible variant of the global political development, but the only *order* in the true meaning of the word. And if today's international system is facing a choice, it is not a choice between the liberal world order and its full-fledged alternatives, but a choice between the liberal world order and various versions of global disorder, chronic instability, and chaos", Russian International Affairs Council 2016: *The Inevitable, Weird World*, 20 July 2016, http://russiancouncil.ru/en/inner/?id_4=7930.

personality of Donald Trump, they might have been expected but, for the time being, they remain the privilege of those in the second row. And here, too, criticism from Washington is regularly more scathing than from Paris or Berlin.

One conspicuous example is US Senator John McCain, who, in his aversion to everything associated with the name of Putin, did not allow himself to be misled and sensed the danger of a new rapprochement between Washington and Moscow right after Donald Trump's election victory. According to McCain, Putin is "a former KGB agent who has plunged his country into tyranny, murdered his political opponents, invaded his neighbours, threatened America's allies and attempted to undermine America's elections".¹⁴

Looking at the current confrontation, the predominant Western perception focuses on the diversionary thesis which is well-known in war studies. The thesis posits that the conflict is not about a supposed external threat from the West, rather Putin is fighting for the 'survival' of his authoritarian regime and he needs high levels of tension with foreign countries that can be portrayed as existential threats to distract from internal deficits.¹⁵ According to this thesis, the portents of its downfall were the mass protests which took place in response to spurious parliamentary elections held in December 2011 and persistent economic stagnation. When consumer demands could no longer be satisfied, the Russian leadership had to derive its legitimacy from mobilizing patriotic feelings. Under these conditions, an agreement with Moscow is illusory and the West will have to prepare for a long period of confrontation. Substantial accommodation could only be expected if Russia's economic decline dictated political changes in Moscow.

Even though it is almost impossible to verify the diversionary theory, there is no doubt that Russian security policy is also influenced by domestic policy considerations. However, the clarity of the narrative outlined above does not correspond with the chronology of the events. Clear cracks between Russia and the West were already visible in the wake of the Iraq and Yukos crises in 2003.¹⁶ In addition, the military advance into Georgia in 2008 escalated the conflict between Russia and the West at a time when,

14 Quoted from a press statement on Putin's first telephone call with Trump after his election, <https://www.mccain.senate.gov/public/index.cfm/2016/11/statement-by-sasc-chairman-john-mccain-on-u-s-russia-relations>.

15 See also Stoner/McFaul 2015, who state inter alia, "Putin's pivot toward anti-Americanism, anti-liberalism, radical nationalism, and an ever more aggressive foreign policy toward his neighbours is a direct consequence of recent Russian domestic political and economic developments. This turn against the West, and the United States in particular, began in 2012, not 2014. It is part of Putin's strategy to preserve his regime. Consequently, a different US policy toward Russia – a more confrontational stance or a more pliant approach – would have had only marginal effects on the current condition of US–Russia relations."

16 In many respects they can even be found much earlier because even in the mid-1990s and thus long before Putin, there were critical comments directed at Moscow which sound very similar to today: "All through 1996, Moscow persisted in its opposition to NATO enlargement, attempted to balance the West's influence in Asia and the Middle East, and intensified efforts to advance Russia's domination of the Commonwealth of Independent States (CIS). Russia's tougher anti-Western stance in foreign affairs put in question the prospects of the security partnership between the West and Russia, which emerged between 1989–1992", Alexseev 1997: 33.

immediately prior to the global financial crisis, the oil rent had reached its peak and the social pact between the government and the people based thereon was still intact.

For most of the Western observers Russia's conduct in the Ukraine crisis with the annexation of Crimea and the subsequent covert intervention in Donbas provide the actual and direct cause for the deterioration of East-West relations. These transgressions as well as the Georgian War in 2008 and open military support for the Assad regime in Syria – have been interpreted not as coincidences of great power self-assertion, but as outpourings of a regime that had been autocratically regressing at a growing pace since 2012.

From the above diagnosis, it follows that the West is advised to pursue a policy which, to varying degrees, is committed to deterrence, containment and the expectation that sooner or later Russia's economic weaknesses and modernization deficits will take their toll on Vladimir Putin's regime. Its downfall does, therefore, not have to be actively pursued, even though Western sanctions are not only aimed at punishing the Kremlin but also at undermining the stability of the regime. This, in turn, is informed by the same certainty with which Moscow, at least in the longer term, trusts the objective impact of the global power shift.

2.3 No determinism: the West's changing *Ostpolitik* and Russia's response

Even though both sides believe themselves to be in the mainstream of history, there was nothing inevitable in the decisions of both sides. Rather, the inevitability thesis shifts the responsibility for the confrontation to the other side and, therefore, represents little more than a source of legitimation for their own course of confrontation. A closer look reveals, however, that the choice of direction followed the dominance of certain perceptual patterns: in the West, the unrestricted and still heady-with-victory commitment to 'Liberal Peace' and in Russia, the essentially compensatory great power ambition, as an expression of its post-imperial syndrome.

Consequently, tensions from a conflict over the principles of global, regional and national governance that had been building up for some time finally erupted in the Ukraine crisis. However, the action-reaction pattern played an equally important role. Space constraints forbid a detailed reconstruction of the European-Russian relationship.¹⁷ Therefore, the following merely outlines the critical landmarks that sparked the current conflict, starting from the European Union's association policy.

The initial course was set in 2004 when the EU decoupled its relations with Russia and the other neighbouring countries of the CIS. This action had far-reaching but, at first, unforeseeable and unintended consequences. Until then, liberal values and EU interests were pointing in the same direction: cooperation with Russia as a priority area to be

17 See also Dembinski/Schmidt/Schoch/Spanger 2008; Dembinski/Schumacher/Spanger 2010.

pursued by instruments like the Partnership and Cooperation Agreement. This changed when the EU launched its European Neighbourhood Policy (ENP) after eastward enlargement in 2004. The intention was to encourage democracy, stability and prosperity in its neighbourhood and, at the same time, prevent “new dividing lines in Europe” (European Commission 2004). However, Russia called for special relations with the EU due to its importance. This decoupling initially appeared to be unproblematic and was implemented through a series of instruments, such as the 2005 Agreement on the four ‘common spaces’ of cooperation – the economy, external security, research and education and freedom and justice –, which gave substance to the EU’s ‘strategic partnership’ with Russia. In addition, the neighbourhood policy was far too weak an instrument to initiate any sustainable progress on transformation and to motivate the elites of the Eastern partners, many of whom were oligarchs, to implement the agreed reforms. Ultimately, by linking the Eastern and Southern neighbours in the ENP, the EU had indicated its limited interest and (geo) strategic ambitions in the region.¹⁸

A second important course of action was the EU’s departure from its ‘Russia-first’ policy from 2006 to 2009. After the 2004 enlargement, a block of Russian sceptics represented by Poland and the Baltic States had formed within the EU. As early as 2006, Poland and Lithuania vetoed a new Partnership and Cooperation Agreement. This group also ensured that German initiatives, such as the foreign minister’s ‘modernization partnership’ or the Chancellor’s bilateral Meseberg initiative, fizzled out at the European level despite the fact that the US and the majority of EU countries had already decided to ‘reset’ relations shortly after the Russian intervention in Georgia in 2008.¹⁹ At the same time, this group of states were in favour of enhancing relations with its Eastern neighbours by initiating the Eastern Partnership. This resulted in a decoupling from Mediterranean countries and was designed to increase incentives to revive reforms, but also to include partners in the EU’s regulatory orbit – through association agreements, visa liberalization and comprehensive trade agreements (Deep and Comprehensive Free Trade Area, DCFTA). However, the willingness to implement reform in Ukraine as elsewhere was limited. Brussels and the majority of the EU countries urged a parallel expansion of relations with Russia; however, no progress was made, neither in

18 The term geostrategy refers to targeted action aimed at gaining influence over the policies and political orientation of regional countries in competition with another actor. The difference between geostrategic policy and value-based policy is that the latter makes a rapprochement with NATO and the EU dependent on the assumption of values, specifically the fulfilment of defined conditions, while the former weakens these conditions in the interest of the power competition.

19 The ‘modernization partnership’ between the EU and Russia did not take shape until 2010. The German Foreign Minister presented the proposal for the first time in a lecture at the Urals University in Ekaterinburg, Foreign Office of the Federal Republic of Germany, 13 May 2008, <http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Reden/2008/080513-BM-Russland.html>. It was based on the concept of ‘interdependence through integration’ developed at the Federal Foreign Office (Steinmeier 2007). In contrast, the Meseberg memorandum from German Chancellor Merkel and Russian President Medvedev completely disappeared from the EU agenda. Its aim was to provide Moscow a say in the EU in exchange for progress on resolving the Transnistria conflict, following the model of the NATO-Russia Council – by establishing an EU-Russia Committee to complement the EU Political and Security Policy Committee, Memorandum, Meeting of Chancellor Angela Merkel and President Dmitri Medvedev on 4–5 June 2010 in Meseberg, <https://tinyurl.com/y7zvmuvk>.

negotiations on visa liberalization nor in revising the cooperation agreement. Nor did they want to shake off the Eastern Partnership's liberal principles and transformational aims.

The third important course of action was taken in 2012 with Vladimir Putin's return to the Kremlin. Russia had previously shown itself to be a difficult partner who was happy to take up Western offers of cooperation on the economy, but not so in politics and instead demanded influence over the West's security policy. From 2012 onward, the gulf with the West widened massively as a result of a hardening of its domestic policy: The 'sovereign democracy' of Vladislav Surkov turned into the 'sovereign autocracy' of Vyacheslav Volodin. At the same time, the initiation of the Eurasian Economic Union underlined Moscow's claims to special relations with its CIS neighbours which it, in turn, denied the West with increasing verve. The EU and the majority of EU Member States responded by declaring themselves in favour of prosperous relations with Russia in principle and, at the same time, reaffirmed the need to continue developing parallel relations with all interested states. However, this categorically excluded the possibility of harmonizing both integration projects and even dialogue between them (Charap/Troitskiy 2014). As a result, at the end of 2013, the Eastern partners of the EU were faced with an almost impossible and, in the case of Ukraine, calamitous choice between the European and the Russian integration projects.

This decision by the EU was essentially influenced by the liberal canon of values. Russia's fairly robust 'advertising' of its integration project forced even moderate voices on the Western side to reaffirm and enforce the right to a free choice of association partners. Furthermore, the liberal canon of values with its postulates of progress and superiority blinded the EU to the not unfounded reasons why Russia saw the expansion of the EU regulatory orbit as an infringement of its interests. Moreover, Brussels remained entirely convinced, even in 2013, that the association of Ukraine was a win-win solution for Russia as well.²⁰ And the circumstances of Putin's return to presidential office compromised the Russian leadership even further. As a result, Western policy increasingly aimed at – not just symbolic – devaluation, not least in its media attention of Putin's prestige project: the Winter Olympic Games in Sochi.

On the Russian side, the current confrontation is portrayed post factum as inevitable and Moscow's role in the Ukraine crisis as an unavoidable act of self-assertion but, in fact, its ruthless response was so sudden that it cast doubt on this depiction of events. In the long run-up to the signing of the EU Association Agreements on 29 November 2013 in Vilnius, Russia's presence was only marginal. In the case of Ukraine, negotiations were concluded well before this date and, after an initial postponement, the treaty was initialled on 30 March 2012 – incidentally, by the same Pavlo Klimkin who had led negotiations as Deputy Foreign Minister on the Ukrainian side and is now the Foreign Minister of, according to Moscow, a (fascist) government that seized power in a putsch. Incidentally, at the time, it was Brussels and indeed Berlin that dragged their feet over signing the

20 Joint statement by President of the European Council Herman Van Rompuy and President of the European Commission José Manuel Barroso on Ukraine, Brussels, 25 November 2013, EUCO 245/13.

Association Agreement, referring to criminal trials against former members of the 'orange' government and, in particular, Yulia Tymoshenko. In this regard, the liberal canon of values was a delaying factor in the expansion of the EU into Russia's sphere of interest – much to the unease of some Eastern European Member States.

Putin did not send out a clearly perceptible signal of Russia's concerns until 3 September 2013, when, on his brief visit to Moscow, he presented Armenian President Sargsyan with two alternatives: either renounce the Association Agreement with the EU, which had been concluded only a month previously, and join Russia's Customs Union or forego vital Russian security guarantees. The result was inevitable. For Ukraine, however, this alternative was never even considered. At most Yanukovych flirted with the idea of observer status in the Customs Union and even repeatedly imposed Russian economic sanctions, concealed under the guise of hygiene standards, could not change this.

This initial passivity was all the more astonishing since the Eurasian integration project, modelled upon and billed as an alternative to the EU, had been at the top of Putin's political agenda since his re-election in 2012. In fact, on sober reflection, integration competition was actually virtual for most of the time because the EU's neighbourhood policy embodied a peculiar hybrid which, also in its enhanced form as Eastern Partnership, fluctuated between securing influence and detachment. Sharing 'everything but institutions' was the formula that indicated that association was not a precursor but an alternative to membership in the EU.

However, the Euromaidan in Kiev, with its demonstrative speeches of solidarity by Western revolution tourists of all kinds, sharply increased Moscow's threat perception – fitting with the perception of Western conspiracy that Putin nurtured upon the wave of demonstrations in Russia in 2011/2012. This made it difficult to ride out the fall of Yanukovich. However, the subsequent annexation of Crimea can neither be explained by this nor justified (Forsberg/Haukkala 2016). Rather, Putin made a high-risk decision in which he acted diametrically against his declared goal of preventing Ukraine being integrated into the West's ring of encirclement and initiated a self-fulfilling prophecy. It can only, therefore, have been an attempt to seize the opportunity for a long cherished but rarely articulated goal. However, it does not make this singular European land grab in violation of international law any better. The price is high: Beyond the military threat, Russia lost all influence in Ukraine, entangled itself in an escalation-laden power conflict with the West, now geostrategically motivated even by the EU, and secured NATO its *raison d'être* as a collective defence alliance.

Yet how quickly Russian policy can undergo a fundamental change of course in the opposite direction when it seems appropriate and sufficiently underpinned by symbolic acts, is vividly illustrated in the vagaries of relations between Moscow and Ankara. In his *Poslanie* or annual speech to the Federal Assembly in December 2015, Putin gravely threatened the Turkish leadership:

"We will never forget their collusion with terrorists. We have always deemed betrayal the worst and most shameful thing to do, and that will never change. I would like them to remember this – those in Turkey who shot our pilots in the back, those hypocrites who tried to justify their actions and cover up for terrorists. Allah only knows, I suppose, why

they did it. And probably, Allah has decided to punish the ruling clique in Turkey by taking their mind and reason."²¹

Despite all of Russia's hefty sanctions, everything was forgiven and forgotten only six months later and Moscow and Ankara went back to where they were before Russia's intervention in Syria. For Turkey, this was (almost) inevitable given the serious economic losses, but for Russia this turnaround was anything but imperative. However, as a result of its pride in its foreign policy, which sometimes comes across as a secret command operation and sometimes as an abrupt change in course, the Kremlin overlooks the fact that, for all intents and purposes, trust is a more important resource. Certainly, there can be no question at all of strategic coherence and the only invariable objectives are efforts to achieve strategic equality within the circle of those great powers who are capable of an 'independent' foreign policy. The hope that this could be implemented with the new US president Trump has prompted Putin to make remarkable and, at the same time, untypical gestures of willingness to cooperate.²²

3. Crisis management: Return to seemingly tried and tested patterns

This diagnosis raises the question of what to do to stop the confrontation escalating further. After the 2014/2015 confrontation with its propaganda efforts, both sides made initial attempts to move in this direction in 2016. They were still very hesitant and found expression only in attempts to signal a willingness to communicate through dual-track strategies developed at the time of the East-West conflict, without showing too much willingness to change their positions.

3.1 Dual-track strategies and their constraints

At its Warsaw Summit in July 2016, NATO cloaked its future policy towards Russia in a kind of dual-track strategy. The concluding communiqué states,

"As a means to prevent conflict and war, credible deterrence and defence is essential. At the same time, as part of the Alliance's overall approach to providing security for NATO populations and territory, deterrence has to be complemented by meaningful dialogue and

21 Presidential Address to the Federal Assembly, 3 December 2015, <https://tinyurl.com/y7jsowl>.

22 One example is hindering the already publicly announced symmetrical reaction from Foreign Minister Lavrov to the sanctions of December 2016 imposed by Obama in response to hacking attacks during the US election campaign.

engagement with Russia, to seek reciprocal transparency and risk reduction. Those efforts will not come at the expense of ensuring NATO's credible deterrence and defence."²³

Although NATO refers to the combination of deterrence and détente familiar in NATO's Harmel report from 1967, it also signals a clear order of priority which is underlined by the fact that the "practical civil and military cooperation" between NATO and Russia remains "suspended" – "while at the same time being open to political dialogue with Russia".²⁴ As a result it falls short of the understanding of a dual-track strategy as published in the German government's White Paper on security policy. It calls for finding "the right balance between collective defence and increased resilience on the one hand, and approaches to cooperative security and sectoral cooperation on the other." (Federal Defence Ministry 2016: 32). In the EU's new foreign and security strategy which was published at the same time, however, efforts to achieve cooperative security had shrunk to "selective engagement" – which were also aimed at "deeper societal ties through facilitated travel for students, civil society and business", while the defence component is not mentioned.²⁵

All three documents have in common, however, that any thought of a partnership with Russia is made dependent on a "fundamental change in policy" by Moscow, which almost exactly reflects the same view expressed by the other party (Federal Defence Ministry 2016). The allure of dual-track strategies is that they integrate *prima facie* contradictory positions. In the specific case of relations with Russia, however, such dual-track strategies are intended to maintain principles and enforce rules in line with the own values and to strive for cooperative solutions in a pragmatic reference to existing power relations. However, this gives rise to a conceptual and a practical dilemma: in practical terms, it is difficult to pursue a policy of simultaneous demarcation and cooperation without compromising both and, therefore, mobilizing resistance from opposite directions. Conceptually, such a dual-track strategy is confronted with the inherent contradiction that, like it or not, cooperation legitimates the reason for the demarcation. These dilemmas are mostly not reflected in Western policy recommendations, or they are unilaterally dispelled so the dual-track strategy becomes mere rhetoric – at the expense of strategic coherence in its policies with Russia.

This is clearly illustrated by a German-American joint study from 2016 which summarizes its dual or even triple-track strategy as follows:

23 NATO 2016, Warsaw Summit Communiqué Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Warsaw 8–9 July 2016, 9 July 2016, http://www.nato.int/cps/en/natohq/official_texts_133169.htm.

24 Ibid.

25 European Union 2016, Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy, June 2016, 33, <https://tinyurl.com/y7mfvs13>. Igor Ivanov agreed, "Frankly speaking, I do not see any fundamental contradiction between the 'four spaces' and the idea of 'selective engagement' advanced by Federica Mogherini as one of the five principles in dealing with Russia. In the end of the day, 'selective engagement' can embrace in this or in that way all of the most important areas of cooperation between Moscow and Brussels: economic interaction, international and domestic security, rule of law and civil society, education, research and culture." RIAC and the EU Delegation to Russia Hold the Fourth Workshop in Brussels, 7 October 2016, <https://tinyurl.com/yb5s92lj>.

"Western policy toward Russia must proceed along three parallel and mutually reinforcing tracks: deterring the regime where necessary; continuous communication and selective engagement with the regime where useful; and proactive engagement with the broadest range of Russian societal actors as possible."²⁶

These three tracks were touted as a "realistic" Western policy on Russia, but it does not live up to this claim either in the academic or in the political sense. Rather, it is a treatise that seeks with a remarkable lack of foresight to pursue the course which led to the impasse in the first place – even though the authors are confident that, "Keeping faith with our principles and holding true to our mutual commitments does not have to mean stumbling into a new Cold War" (Hamilton/Meister 2016: 51). It remains a secret as to how this equation is supposed to work.

Others express no doubt that the proposed dual-track strategy must be based on a clear hierarchy, as is the case with NATO, since "deterrence/defence and détente/dialogue are complementary and intrinsically linked, but there is a clear sequence: dialogue can only be pursued if deterrence is assured" (Major/Rathke 2016: 2). Dialogue, here, is designed to address the unintended side-effects of deterrence, including the risk of miscalculations, escalations and unintended conflicts. This makes sense, but does not represent a dual-track strategy. Whether the desired opportunities for risk-minimizing or even broader cooperation can be preserved depends on how deterrence is employed that inevitably mobilizes the security dilemma. It makes a difference whether deterrence is declarative and symbolic – that is, in the context of "reassuring" concerned NATO members at the eastern edge of the alliance – as in the case of the Warsaw decision on deployment, or whether it is militarily optimized. In this sense a permanent and not only rotating deployment of US troops was called for, as well as for the ability to conduct limited nuclear warfare which should also become the standard repertoire of NATO exercises.²⁷

The declared dual-track strategy of "selective containment and engagement" becomes completely absurd if, as suggested by Michael McFaul, the main task is to "isolate" the regime in Moscow: "The strategy of seeking to change Kremlin behaviour through engagement, integration and rhetoric is over for now." If, however, "vital interests overlap" then cooperation is to take place, as it did during World War II and the Cold War, "strictly on a transaction basis" and not "as a means to again get Russia to recognize international standards and values" (McFaul 2014).

It is self-evident that such a dual-track strategy, which is defended here by one of the prominent advisors on Russia from the Obama administration and, therefore, also

26 See Hamilton/Meister 2016: VIIIff, Track One should ensure "respect for international law, the UN Charter and the Helsinki principles, including respect for the sovereignty and independence of Russia's neighbors"; Track Two offers partnership if Russia decides to act as a "responsible international stakeholder" and Track Three is aimed at "alternative elites, civil society, entrepreneurs and innovators, media and opposition figures".

27 See Center for European Policy Analysis (2015). It is not surprising that the concept of the dual-track strategy does not appear in such proposals and that dialogue only aims internally "to bridge the gaps in perceptions".

contributed to the contentious “middle way” it took, cannot work (Charap/Shapiro 2016). It is mere decoration for a containment policy. However, other critics argue that dual-track strategies must fail in principle, since cooperation and conflict cannot be “separated”.²⁸ Foreign Minister Lavrov officially confirmed this judgement when suspending the plutonium agreement with the US, “Our decision is a signal to Washington that it cannot use the language of force, sanctions and ultimatums with Russia while continuing to selectively cooperate with our country only when it benefits the US.”²⁹

Realist critics want the West to solve this dilemma by sorting out its priorities accordingly which means that security and arms control are clearly given priority over democratic policy goals. Allegedly Russia is pursuing the same priorities and, therefore, a sufficient overlap is achievable. This is mainly aimed at global threats from nuclear proliferation to terrorism. It is true that a Western Russia strategy confined to targeting Putinism is per se confrontational, while security policy goals in the name of international stability at least provide the opportunity for mutual understanding. However, in order for this opportunity to be seized, the manifest conflicts in security policy must not be dismissed: the European security order and dealing with the countries that lie between the European Union and Russia. Their fate justifies the deterrence and containment part of the dual-track strategies which is recorded in the formula for ‘Liberal Peace’, that sovereignty, territorial integrity and – equally – the free choice of alliances are “non-negotiable” for the West (Major 2015: 3). This formula has, however, increasingly emerged as code for creating a Western sphere of influence.

3.2 Dual-track strategy as a lesson from the East-West conflict

Criticism of the dual-track strategies points out that they are hardly suitable for overcoming the deep trench of mutual accusations and the profound mutual mistrust. This only seems possible if a centripetal momentum can counteract the centrifugal escalation, which would enable gradual rapprochement. In principle, there are two possibilities here: first, the well-known *tertium datur*, a common challenge that can only be mastered by a common response. Dmitry Medvedev proposed this in his widely misunderstood speech at the Munich Security Conference in February 2016:

28 Graham/Rojansky 2016.

29 Comment by Foreign Minister Sergey Lavrov on the publication of the presidential executive order to suspend the Russia-US plutonium management and disposition agreement, 3 October 2016, <https://tinyurl.com/y9lm6bvr>. This was primarily about the conditions of resuming the agreement, such as revision of NATO enlargement, withdrawal of the Magnitsky Act (the sanctioning of Russian civil servants in 2012 responsible for the death of a Russian lawyer), lifting sanctions and compensation for the damage incurred, including self-inflicted damage caused by the “unavoidable” Russian counter-sanctions – upheld by a decision in the State Duma. Putin was more relaxed at the Valdai Forum in 2016 and called these conditions merely “a piece of paper”. At the same time, he stressed that Russia had suspended the treaty solely because the US had failed to fulfil its obligations. Vladimir Putin took part in the final session of the Valdai International Discussion Club’s 13th annual meeting, 27 October 2016, <https://tinyurl.com/jbo3xdx>.

“The term ‘European security’ is now more embracing than it is used to be. Forty years ago it concerned above all military and political relations in Europe. But new issues have come to the fore since then, such as sustainable economic development, inequality and poverty, unprecedented migration, new forms of terrorism and regional conflicts, including in Europe. I am referring to Ukraine, the volatile Balkans, and Moldova that is teetering on the brink of a national collapse.”³⁰

After the terrorist attacks in France in 2015 the Kremlin proposed forming a unified antiterrorist front – but with limited success as it was too obviously aimed at legitimizing its military commitment and its much wider objectives in Syria. However, in the long-lasting nuclear negotiations with Iran, the common interest in the non-proliferation of nuclear weapons took on practical form. Nevertheless, the confrontational relationship itself remained unaffected; no spillover effects were observed.

The second possibility points to lessons from the Cold War, notably the lessons that can be learned from the period of *détente* which, in the light of the German *Sonderkonflikt* (Richard Löwenthal), took place from 1969 to 1980. It changed the character of the confrontation because the East-West conflict was no longer fought just below the threshold of military force but administered, for example, through joint arms control. This was possible because reciprocal, apparently incompatible demands were met, at least in part. As a result, *détente* brought the Soviet Union recognition for what then Foreign Minister Andrei Gromyko in 1981 formulated thus, “No major international problem will or can be solved today without the participation of the Soviet Union” (Legvold 2016). Things still sound very much the same today, although his successor in Smolensk Square, Sergey Lavrov, with Obama’s “regional power” in mind, is somewhat more modest since he believes that “not a single European (!) issue can be solved without Russia’s opinion” (Lavrov 2016).³¹

On the other hand, the policy of *détente* marked the formal recognition of the territorial (and political) status quo in Europe, in particular through the *Ostpolitik* of the German social-liberal coalition. This happened through the realisation that forced change could be achieved only at unbearable costs and that a *modus vivendi* would require a minimum of mutual respect. Also, it was introduced barely a year after the military abatement of the Prague Spring – an early ‘colour revolution’ in today’s Russian parlance – after which hopes of a progressive dismantling of the eastern alliance were once more crushed. Therefore, the policy of *détente* had the paradoxical result of sanctioning Churchill’s ‘Iron Curtain’ as the most visible expression of Moscow as a ‘rogue regime’, in order to make it more transparent and, in the long term, to remove it – together with the Soviet sphere of influence. Lothar Brock coined the term “antagonistic cooperation” to describe this approach.

30 Munich Security Conference, 13 February 2016, Dmitry Medvedev’s speech at the panel discussion, <http://government.ru/en/news/21784>.

31 It is indicative that in its detail, Gromyko posited Lavrov’s current line of argument in 1984, see New York Times 1984: Key Sections of Speech by Gromyko to the General Assembly, 28 September 1984, <http://nyti.ms/2lrY96k>.

The essence of *détente* was recognising common interests that were worth pursuing together – a realization that only became clear after the dramatic wake-up call of the Cuban missile crisis in October 1962 and the immediate threat of nuclear war. It also reaffirmed that trust can only occur when one recognizes and takes into account the roots of distrust on the other side – and that includes a self-critical examination of one's own behaviour. Medvedev acknowledged this in Munich too,

“We see that economic, social and military challenges have become mutually complementary. But we continue to act randomly, inconsistently, and in many cases exclusively in our own national interests. Or a scapegoat is appointed in an arbitrary manner.”³²

Unfortunately, this message in his speech at the conference was so badly cloaked in numerous allegations addressed at the West that it was hardly recognizable.³³ In other words: once again, composition and timing are crucial for signals to arrive and be understood correctly. One example is the Harmel Report from 1967. Under the banner of the updated dual-track strategies, it has recently become popular again in the West, in order to demonstrate that the West does not seek confrontation with Russia. When the Harmel Report was written in 1967 and adopted by NATO, it was indeed veritable progress because the new element of dialogue was added to the established one of deterrence – a clear signal of positive change. Today, however, the opposite is true: the return to deterrence has been added to the dialogue which has thus been relegated to the rank of obsolete reminiscence. The shifts in emphasis quoted in the drafting of the dual-track strategy do the rest.

4. Paradigm shift: A plea for ‘Plural Peace’

The crisis in Ukraine and the subsequent confrontation have shown that Western policy is blocked by contradictions that need to be resolved. There are contradictions on three levels: (a) between different normative objectives, (b) between the (Western) aims of transformation and the willingness to transform in the (Eastern) target countries and (c)

32 Munich Security Conference, 13 February 2016, Dmitry Medvedev's speech at the panel discussion, <http://government.ru/en/news/21784>. Putin's stance is somewhat different because for him Russia's foreign policy is guided solely by its “national interests” – which, moreover, justifies his “privilege” to be able to pursue an “independent” foreign policy. See, for example, Avtorskaya stat'ya Vladimira Putina “Rossiya i menjajushchisya mir”, 27 February 2012, in: *Moskovskich novostyach*, www.mn.ru/politics/78738.

33 The press feedback on his speech was also devastating as he was said to have announced a new Cold War. In actual fact he said, “Speaking bluntly, we are rapidly rolling into a period of a new Cold War.” Only one participant at the conference – Frank-Walter Steinmeier – took this statement as it was meant: as a warning of a rising Cold War and as a call to prevent it. All other participants and the majority of press coverage were amused not only by Steinmeier's interpretation, but also claimed that Medvedev had played devil's advocate – just like Vladimir Putin at the same location in 2007 (with which he unfortunately prefaced his speech in 2016 to show that Putin's warnings had not only come true, but had been surpassed). This misinterpretation is symptomatic of the current state of relations.

between the (Western) aims of transformation and willingness to support these in (Western) core countries.

On point (a), it is no longer possible to ignore the fact that the normative objectives of the CSCE's Charter of Paris from 1990 by no means form a coherent whole from which guiding principles with no alternative can be derived. On the one hand, the West believes that a breakthrough can be achieved through the common values of democracy, the rule of law and self-determination in Europe and hence through the enlargement of NATO and the EU. On the other hand, according to the prevailing Russian perception, common security and a united Europe with no new rifts need to be created. This contradiction, as shown above, has escalated to the same extent to which both sides have insisted on their exclusive readings of the issues.

On point (b), the signing of the Association Agreements highlights the contradiction between the formal rapprochement of Eastern partners to the West and their real willingness to transform. This can be clearly seen in the example of Moldova, celebrated for a long time in blatant self-denial as a shining model for transformation according to the EU script, but actually a kleptocracy run by parties friendly with the EU in name only. In the Ukraine, too, the transformation is occurring to the rhythm of the Hopping Procession of Echternach, and whether or not it will succeed is anybody's guess.

Ultimately, on point (c) there are contradictions between the commitment to the normative objectives of 'Liberal Peace' and the political reality in core countries which should embody these normative goals and defend them. On the one hand, EU members are not immune from the return of authoritarianism; in the case of Hungary, 'illiberal democracy' is even officially postulated.³⁴ On the other hand, willingness in the core countries of the political West to commit to the transformation programme is waning. In the Netherlands, movements critical of the EU pushed through a vote on the Association Agreement with Ukraine and, on 6 April 2016, received a clear majority for their call to denounce the "undemocratic EU" and its "urge for territorial expansion".³⁵ Reservations in Germany and other EU countries forced a shift by placing conditions on a symbolically very important part of the Association Agreements, the Mobility Agreement. Although Ukraine had fulfilled all the conditions required of it, the EU did not apply the agreement on visa liberalization until it had internally agreed the modalities of an emergency mechanism with which (potentially) excessive immigration can be stopped.

In addition, the implicitness with which the European Union claims to represent the European continent has departed with the exit of the UK – not least because it makes little sense to admit countries in need of help if the powerful ones are turning their backs on you. The election of Donald Trump is, therefore, only the tip of the iceberg in a trend that has beleaguered Europe for some time. His election shows that even the West's leading

34 Viktor Orbán's speech at the 25th Free Summer University in Băile Tușnad (Romania) on 26 July 2014, 1 August 2014, <https://tinyurl.com/y968zkdl>. It is worth noting that his statement on the "illiberal state" that he intends to build up with and for his Hungary is missing on the official website.

35 For background on the Dutch vote see Van der Loo 2016.

power feels overwhelmed by a liberal internationalism which even the Obama administration had only cautiously followed.

Since the West's *Ostpolitik*, which is based on the model of 'Liberal Peace', has become entangled in a web of contradictions and is increasingly untenable, the question arises as to what alternative model should be employed and, based on that, what new policy should be adopted. To date, there has been very little in the way of academic discourse and practical policy on this issue in the West except for the (apparent) dual-track approaches outlined above.³⁶ The following considerations are primarily addressed to the West. Russia is taken into consideration only insofar as there must certainly be plausible starting points there for a new approach in Western policy.

If it is true that the CSCE's 1990 Charter of Paris for a New Europe has lost its relevance – and to the extent that there is consensus in this regard – then it is not enough to bemoan this situation. Rather, appropriate conclusions must be drawn from it. Uncompromising adherence to the democracy postulates of the Charter of Paris has transformed the vision of a Europe "whole and free" into the reality of ever deeper division. This constellation adds fuel to a spiral of growing threat perceptions and an enemy image with its accompanying military consequences. Conceivable ways out of the blockade – the collapse of Putin's political system or a victory of populist movements in key Western countries and the accelerated erosion of Western integration – are neither likely nor desirable.

It seems to us that the only way out of this impasse is a paradigm shift which opens up new perspectives. Instead of 'Liberal Peace', we propose 'Plural Peace'. It is based on the experiences of the *détente* policy from the 1970s, whose aim was to not question (fundamental) difference through confrontation and thereby actually cement it, but to recognize it in order to overcome it gradually. This mutual assurance has reduced tensions, but has not removed the antagonism. The three pillars of the CSCE – security and confidence-building, economic cooperation, humanitarian cooperation – testify to the willingness to agree on common principles, despite continuing fundamental differences.

As stated above, we now find ourselves in a confrontation akin to that of the Cold War but at the same time lacking its material foundation. It is not an ideologically charged social antagonism but a classic power conflict, the ideological flanking of which has little substance, despite its many attempts at information warfare. In the same vein political isolation through sanctions coexists with diverse and continuing economic and social contacts and cooperation. As a result, lessons learned from the period of *détente* only provide guiding principles, but not detailed blueprints to manage the current crisis. This requires adaptation to a constellation that should, on the face of it, be easier to manage given the mix of confrontation and cooperation, but it also lacks the clarity of a black-and-white constellation and, in addition, can only rely to a limited degree on the fading collective memory.

36 We also drew attention to this in 2014 when we proposed a strategy of 'conengagement' instead of the usual alternative 'containment' versus 'engagement' which seeks to combine both elements and, at the same time, to restrict the dilemmas it gives rise to. See Dembinski/Schmidt/Spanger 2014.

In their most general form, these guiding principles follow Max Scheler's and Max Weber's distinction between the ethics of conviction or *Gesinnungsethik* (in its manifestation as 'Liberal Peace') and the ethics of responsibility (*Verantwortungsethik*) (as a benchmark for 'Plural Peace'), which Weber both described as "fundamentally differing and irreconcilably opposed maxims" (Weber 1973: 175).³⁷ With the tailwind of victory in the Cold War and as a sign of general approval, which manifested itself in Eastern Europe as a "return to Europe" and in Russia as a "return to civilization", 'Liberal Peace' initially had no alternative in either ethical sense. However, with mounting opposition on the part of Russia, the consensus was lost, 'Liberal Peace' congealed into a maxim of the ethics of conviction that neither reflected on the consequences of its actions, nor was it ready to assume responsibility for them.³⁸ The EU's association policy with Ukraine is a classic example.

Early on and at the height of the Cold War, Hans Morgenthau translated premises of the ethics of responsibility in international politics employing the paradigm of 'prudence'. He proposed that, "there is no political morality without prudence – that is, without consideration of the political consequences of a seemingly morally justifiable approach". This included a denial in principle of the – understandable and common – tendency of all nations to "cloak their own efforts and actions in universal moral objectives" which, in turn, leads to "that distortion of judgment that destroys nations and civilizations blinded by crusading zealotry – in the name of moral principles, ideals or God" (Morgenthau 1963: 56). The latter fatally came to fruition in George W. Bush's warfare in the Middle East.

Reconciling one's own moral principles and interests and the interests of normative others, in order to avoid the use of force and, where possible, to organize cooperation formed the actual guideline for ethical behaviour for Morgenthau. In principle, this is still true today. The paradigm of 'Plural Peace' acknowledges that Russia is and will remain the way it is for the time being and that, nevertheless, prosperous – that is first and foremost peaceful – but also cooperative relations with this normative other are desirable.

In addition to the principle of political ethics and prudence, the programme of 'Plural Peace' also requires standards since not every normative deviation is tolerable. Here, 'Plural Peace' draws upon John Rawls's reflections on international justice, which seek to establish the norms on which liberal and those illiberal states can agree that meet the criteria of "well-ordered hierarchical societies" (Rawls 1999). Equally, 'Plural Peace' also requires rules of conduct in a normatively heterogeneous Europe. It rebalances the defining alternatives, either push through liberal principles or lapse into pragmatism

37 This applies irrespective of the fact that at the height of the 'third wave of democratization' democracies – irrespective of their ethical virtues and as opposed to previous assessments – were ascribed specific practical accomplishments such as maintenance of peace and economic progress, see Spanger/Wolff 2007.

38 Weber writes, "If the consequences of an action, solely based on conviction, are evil, it is not the actor but the world that is responsible for it, the stupidity of the other men, or the will of God who created it. On the other hand, the ethics of responsibility reckons with the average defects of men, he has, as Fichte rightly says, no right to presuppose their goodness and perfection, he does not feel in a position to shift on to others the consequences of his own actions insofar as he can foresee them."

without principle. And it is based on the realization that the path to the current confrontation was by no means inevitable and that the issues at stake cannot plausibly substantiate the current level of tension.³⁹

Instead of insisting on asserting liberal values and measuring normative others solely against this unedifying and potentially unachievable benchmark, 'Plural Peace' is committed to recognizing the status quo. It is, therefore, based on a dissociative strategy in those areas that have proved to be particularly conflictual.⁴⁰ But it does not wish to remove existing interdependencies and instead aims to deepen them and to establish common rules. This is in line with considerations by Russian colleagues who also argue in favour of "detachment" as a strategy to avoid conflict. This is mainly due to the frustration, familiar from the 19th century, that Russia once again has failed to become an integral part of Europe in the 25 years after the Cold War. However, they do not infer from this a special Russian path as numerous Russian theorists have in the past. Rather, they oppose both the "Danilevsky moment" of a principally Slavophile front between Russia and Europe and the reactivated Eurasian ideas of the 1920s which they currently regard as a cruel mixture of "primitive cravings for status, irredentism, anti-Westernism and a reactionary interpretation of geopolitics".⁴¹

Dissociation is intended to reduce direct points of contact in critical areas, thus containing potential conflicts. At the same time, 'Plural Peace' is based on indirect effects, on the transformative potential of good examples and own performance. First and foremost, this concerns the highly controversial area of democracy and the rule of law. The political debate about this is first and foremost decided at the domestic level and not at the intergovernmental level. In view of the pressure exerted by right-wing populist movements on the Western democratic model, it should be emphasised that this applies to both sides. The good example, therefore, renounces export activities and not just *manu militari*. This will not prevent regimes under social pressure from projecting and finger-pointing. The role model, however, concentrates on maximizing coherence of own political practice and the own ideals, such as freedom of expression, tolerance and minority rights. Following the logic of the CSCE process, transnational communication and cooperation spaces must also be defined, which, in view of the incomparably denser relationships and the more open information world, is initially aimed at securing the status quo rather than changing it as in previous times.

'Plural Peace' is by no means putting the case for the relativism of values. It is not the values that are questionable, but utilizing them as the objective and means of international politics. According to Rawls, this also applies to tolerance, the essence and condition of liberalism. In this sense, other countries also have the right to follow their own political paths without the threat of external interference through force – bound, however, to minimum standards. Rawls mentions two conditions that illiberal states must meet in order to have a right to toleration: respect for basic human rights and non-

39 For more on conflicts and the connection between the issues and the level of tensions, see Czempiel 1974.

40 For more on dissociation as a peace strategy, see Link 1994.

41 Miller/Lukyanov 2016. The alternative, however, is not really spelled out.

expansionism. He specifies his "realistic utopia" by stating that both groups of liberal and illiberal states must be able to agree on a catalogue of principles. According to Rawls, this includes the right to independence and non-interference (confined to military means), prohibiting the use of military force (except in self-defence), the obligation to respect contracts and granting basic human rights (Rawls 1999: 37). These principles also form the scaffolding of the Helsinki Decalogue of the CSCE Final Act on relations between the participating states which were agreed in 1975 under significantly more difficult conditions between East and West. They also form the starting point for the paradigm of 'Plural Peace'. The reaffirmation and implementation of these minimum standards mark the first operational conclusion for relations with Russia derived from 'Plural Peace'. The following recommendations specify them in greater detail.

5. From crisis management to conflict resolution: Principles of a new western policy towards Russia

5.1 Reinforcing basic norms

As mentioned, 'Plural Peace' is based on the basic norms of international law notably the ban on the use of force and the right to sovereign independence. Nevertheless, agreeing to these basic norms is anything but trivial. On the one hand, they have been infringed several times in the recent past: by Russia when it recognized the independence of Abkhazia and South Ossetia and with its military interventions in Eastern Ukraine and, above all, its annexation of Crimea. In its defence, Russia claims to have merely followed the West's poor example in Kosovo, Iraq and Libya. On the other hand, both sides are bringing into play standards and claims that partly contradict these norms: With its 'Responsibility to Protect' (R2P), the West is committed to making the right to sovereignty dependent on the duty to respect human rights. For Russia, sovereignty and non-interference have always been unconditional, but since the annexation of Crimea Moscow supplemented them – and de facto compromised them – to include people's right to self-determination.⁴² Moreover, Russia insists that common security on the European continent is linked to being able to influence how states in their former embrace practice their right to independence and sovereign equality.

42 The latter was and is justified by extravagant pirouettes around international law, although all official statements are carefully drafted not to draw any conclusions from the Crimean issue to other comparable cases. Conspicuously, the relevant passage from the 2013 version of the official foreign policy concept – i.e. before the annexation of Crimea – was included verbatim in the new foreign policy concept of 2016. In both, the right to self-determination, among other rights, only appears in the context of the need to "counter politically motivated and selfish attempts by some states to arbitrarily interpret fundamental international legal norms and principles", *Koncepcija vneshney politiki Rossiiskoy Federacii (Utverzhdena Prezidentom Rossiiskoy Federacii V.V. Putiny 12 fevralya 2013g)*, no. 31b (document no. 303-18-02-2013); *Koncepciya vneshney politiki Rossiiskoy Federacii (Utverzhdena Prezidentom Rossiiskoy Federacii V.V. Putiny 30 noyabrya 2016g)*, no. 26b (document no. 2232-01-12-2016).

Nevertheless, consolidating these norms as the mainstays of a European peace order is not impossible. The objection that Russia had dismissed them by recognizing violent secessions in 2008 and 2014 and, consequently, any endorsement is not worth the paper, falls short. Norms do not automatically become invalid if they are violated (Kratochwil/Ruggie 1986: 767ff.). Otherwise international law had already been buried after Western military interventions in Kosovo and Iraq.

Rather it is of critical importance how the international community reacts to the violation of international norms, even and especially when they are enacted by UN veto powers. The refusal of even Russia's closest allies to recognize the independence of Abkhazia and South Ossetia or to approve the annexation of Crimea clearly testifies to the robustness of these norms.⁴³ And because the West must be interested in keeping and strengthening them, it is important that it emphasizes their validity publicly, commits itself to recognizing them and develops methods of dealing with competing norms, such as territorial integrity and national self-determination.⁴⁴

Of course, simply paying lip service to these norms is hardly credible. Consequently, a strategy to strengthen them will not get around dealing with past violations. In Europe, this mainly concerns the annexation of Crimea. Western sanctions were, therefore, adequate to corroborate the condemnation of norm violation. When, in a comparable case, Iraq took possession of its neighbour Kuwait in 1991, the response was much harsher – and, at the time, it was implemented with the agreement of the Soviet Union and based on a mandate from the UN Security Council.

Furthermore, both sides do not necessarily question these basic norms by formulating partially competing principles, but argue about their importance and correct application. The Russian objection that the West had not only created a precedent with the war on Kosovo and recognizing its independence, but had also codified it with R2P, has two caveats. Firstly, the West has always emphasized the uniqueness of the Kosovo case. Secondly, since the UN's 'World Summit Outcome Document' from 2005, R2P has been subject to important procedural restrictions that make violent intervention to defend massive human rights violations dependent on the approval of the UN Security Council and, therefore, on each of the permanent members.⁴⁵

43 At the Security Council, 13 states voted in favour of a resolution condemning the annexation of Crimea and declaring the referendum invalid. China abstained and Russia vetoed the resolution (Frankfurter Allgemeine Zeitung, 15 March 2014, <http://www.faz.net/aktuell/politik/ausland/un-sicherheitsrat-russland-legt-veto-gegen-krim-resolution-ein-12848341.html>). In the subsequent vote at the UN General Assembly, 100 states condemned the annexation, 11 voted against, 58 abstained (Resolution 68/262).

44 On the latter, the international community has developed numerous ways of dealing with these competing claims since the League of Nations. They range from a few cases of complete independence (e.g. South Sudan), conditional independence (e.g. Bosnia-Herzegovina and Kosovo), autonomies (e.g. South Tyrol), federations (e.g. Belgium, a total of 28 worldwide) to more theoretical confederations (e.g. as a model to solve the Cyprus conflict), condominiums (e.g. Andorra temporarily) and international mandate areas (e.g. the Free City of Gdansk).

45 The crucial sentence reads, "[...] we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII" (see the World Summit 2005 Outcome, p. 31, paragraph 139). The World Summit was, therefore, taking a decisive step

The same is true of Western accusations levelled at Moscow. For Russia, too, Crimea does not represent a precedent for a similar approach in the Baltic States, but a very specific individual case. Hence, for Russia, it is not a question of conditioning the non-use of force and state sovereignty through self-determination. Temporarily, however, the official rhetoric about ‘Novorossiya’ and ‘Russkiy Mir’ suggested otherwise and it may give some relief that lately these bubbles have only come from the brown swamps of so-called patriots. These, however, entertain some bridgeheads in government – which certainly dents confidence in Moscow’s self-restraint.

The fundamentally different procedures applied to regulating the Kosovo and Crimea issues also undermine confidence. While Russia annexed Crimea in a secret command operation with a fake referendum, Kosovo’s independence was preceded by a long-term negotiation process on all diplomatic levels.⁴⁶ Reaffirming the norms must, therefore, also include a commitment to procedures of conflict resolution and consensus-building.

5.2 Functionally differentiating zones of influence

The Ukraine crisis has revealed the potential for conflict posed by those countries located between Russia and the political West, formerly part of the Soviet Union and sometimes endowed with the disrespectful title of *Zwischeneuropa* (Europe in-between) in the tradition of Friedrich Naumann. There are not many left, essentially consisting of the EU Eastern Partnership countries: Armenia, Azerbaijan, Belarus, Moldova and, most importantly, Ukraine. The central Asian states of the former USSR are more likely to be in the Chinese orbit, where, as a result of a much wiser policy in Beijing, the no less considerable potential for conflict with Russia has so far been contained (Spanger 2016). In some Balkan countries – Macedonia, Montenegro, Serbia – there is also a certain degree of competition for influence.

In normative terms, conflict is about the tension between sovereignty and the free choice of alliance, on the one hand, and the claim to codetermination derived from the principle of common and equal security, on the other. To date, the West has unanimously declared non-negotiable the right of these countries to freedom of association. Most Western commentators reject the recognition of zones of interest and influence with the

back behind the report “The Responsibility to Protect” from the “International Commission on Intervention and State Sovereignty” from 2001, <http://responsibilitytoprotect.org/ICISS%20Report.pdf>. Although the intention was to entrust the UN Security Council with the decision, it also discussed alternative procedures in case of a blockade, firstly, through the UN General Assembly along the lines of a Uniting for Peace resolution and, secondly, through regional security organizations.

⁴⁶ Additional differences concern the massive human rights violations in Kosovo before the intervention which the Russians claimed *post festum* were prevented by the annexation. In the aftermath of the military intervention in Kosovo, the West, with the participation of Russia, involved the UN in regulating the post-war order, while Russia denied access to all relevant organizations in Crimea. Furthermore, in Kosovo, the West was not concerned with territorial expansion, economic advantage or security policy gains, while the focus is on these crucial aspects in Crimea.

argument that this would be equivalent to a new Yalta.⁴⁷ However, the fact that Western policy also creates *de facto* zones of influence is deliberately ignored and the freedom of association is cited preferably when the result is predictable. To the extent that the status of unrivalled dominance gets unsettled, once brazen postulates are also relativized on the Western side: the one-sided and solely domestic policy-driven departure from the – supposedly non-negotiable – open-door policy, as implemented by the EU at its Council meeting in December 2016, is a remarkable indicator.⁴⁸

Since competition for influence in this region was and still is a crucial source of tension, it is necessary to clearly and reliably define zones of influence. During the East-West conflict this was guaranteed – with different consequences. Even at its height, neither the uprising in Hungary in 1956 nor the construction of the Berlin Wall in 1961, nor the defeat of the Prague Spring in 1968 provided grounds for interventions into the Soviet sphere of influence. Official recognition of the territorial status quo, which Germany formalized in its Eastern treaties, was also the crucial condition for the subsequent policy of *détente*. To this extent, ‘Yalta’ stands for the sealing of European division, but its formal recognition stands for gradually overcoming this division.

However, the current conflict, as outlined above, has different characteristics and links conflict and cooperation in a completely different way. A territorial boundary between two antagonistic blocs, comparable to the Cold War, is, therefore, not the issue. Consequently, we propose aligning the competing principles of common security and sovereign decision-making according to functional criteria. These should be based on the contested issues and the potential for cooperation. This proposal follows the principle of ‘Plural Peace’, according to which rules should allow as much normative difference as possible and generate as much commitment as necessary. Other fundamentals include reciprocity and reliability.

In terms of functional differentiation, security requires primary attention. In contrast to current Western practice, Russia’s insistence on security-policy codetermination in their spheres of interest ought to be acknowledged and included in the shaping of the *Ostpolitik* of Western organizations. To reject the Russian demand for participation here a priori would be contrary to the principle of prudence. After all, the West is neither in a position to control the tensions resulting from the violation of Russian security interests, nor does it have a discernible advantage for the states concerned, and especially Ukraine.

In concrete terms, it follows that, in the light of past experience, Russia must now be credibly assured that Ukraine and other countries in the region will not be admitted into NATO or the EU. Although political decisions are always applied *mutatis mutandis*, making water-tight guarantees impossible, the EU at least has established “legally binding” barriers in a European Council decision from December 2016 which rule out (at

47 Exceptions include Rudolf 2016: 25f.

48 This occurred at the insistence of the Dutch in the aftermath of the referendum which resulted in a majority against the association agreement with Ukraine on 6 April 2016, although it was not legally binding.

least for the foreseeable future) Ukraine becoming a full member of the EU and granting security guarantees.⁴⁹

NATO too does not provide security guarantees for those states outside the alliance while, conversely, the latent prospect of accession has invited Russia to exert military pressure. The war against Georgia in 2008, the annexation of Crimea and the intervention in Eastern Ukraine all occurred *expressis verbis* in order to draw a red line against NATO expansion. In view of this, procedures should be developed which go beyond the current bilateralism between NATO and Russia and also beyond the limited range of instruments of the Organization for Security and Cooperation in Europe (OSCE), also giving an autonomous voice to these states on issues of European security.

The draft Treaty on European Security, submitted by then Russian President Dmitry Medvedev on 29 November 2009, provided appropriate starting points for a discussion – provided it can get out of the OSCE’s Corfu Process into which NATO had buried it.⁵⁰ The Russian initiative not only reaffirmed calls for equal and undivided security, but was also aimed at confining NATO’s expansion into the post-Soviet space as promoted by the Bush administration until the NATO Summit in Bucharest in 2008. To this extent, it is understandable that NATO perceived the Russian proposal as a conspiracy to undermine the alliance and, as a result, reacted with great caution. However, this dilatory response was a missed chance. In fact, the Medvedev initiative’s legally binding affirmation of international norms and the creation of a conflict-regulating mechanism, which can be activated at any time, to settle bilateral conflicts between European states at the multilateral level, offers a good basis.⁵¹ This would be a conceptual starting point which could, for example, also result in a revaluation of the OSCE as a regional organization. In any case, such a pan-European initiative would help strengthen the damaged principles of the non-use of force and of sovereign equality.

While the potential for conflict in the area of security policy has made itself felt with growing intensity, the economic sector has largely been spared. Economic exchange between Russia and the other CIS republics has followed the usual cycles, even though the skirmishes Russia repeatedly had with its neighbours over energy, milk or wine supplies certainly had political connotations – and in the case of Georgia after 2006, explicitly followed the goal of political sanctions. Economic relations between Russia, the EU and their common neighbours were characterized by a relatively high interdependence up until the Ukraine crisis of 2014. It would, therefore, have been prudent policy, as outlined

49 See European Council Conclusions on Ukraine (15 December 2016), Annex, Brussels, 15 December 2016. On the Association Agreement with Ukraine, it states, “the Agreement does not confer on Ukraine the status of a candidate country for accession to the Union, nor does it constitute a commitment to confer such status to Ukraine in the future.” Furthermore, “It does not contain an obligation for the Union or its Member States to provide collective security guarantees or other military aid or assistance to Ukraine.”

50 The draft of the European Security Treaty, in: <http://en.kremlin.ru/events/president/news/6152>. The draft provides for a three-stage process of conflict settlement which is based on the severity of violations of the agreed norms: information, consultation and finally an extraordinary conference of participants (states and alliances) in case of (threatened) military aggression.

51 For more detail and criticism, see also Zagorski 2010 and Dunay/Herd 2010.

above, for the EU to have taken into account what repercussions the Western turn of its Eastern neighbours would have on Russia – also in its self-interest to reduce the inevitable transformation costs.

Economic relations between Russia and Western Europe as well as between Russia and its CIS neighbours have nose-dived as a result of the Ukraine crisis and the recession in Russia. However, they are still significant and would flourish again if reciprocal sanctions were lifted. For several reasons it is advisable to control and, therefore, deepen existing interdependencies in this area by means of common rules – even if a dissociation strategy could, in principle, also be envisaged under the premises of ‘Plural Peace’. On the one hand, the current causes of conflict are to be found elsewhere, while economic exchange is based on and consolidates common interests. On the other hand, the strategy of transformation by example is based on promoting economic exchange.

For the time being, the EU and Russia are more concerned with pragmatically continuing existing relations than with institutional innovation. Proposals to interlink the Eurasian Economic Union (EEU) with the EU internal market, expanded to include the ‘Deep and Comprehensive Free Trade Areas’ (DCFTA), had never been seriously considered before the Ukraine crisis. They are not yet off the table.⁵² However, the fruitless trilateral ‘catch-up’ talks between the EU, Russia and Ukraine in 2015 concerning a possible adaptation of the DCFTA have given proof that the political climate is not ready for the creation of a common institutional framework. This should certainly not exclude (further) exploratory talks between the EU and the EEU, especially since the EEU has already entered into formal negotiations with a number of countries, including Serbia, South Korea and Israel and has already signed a free trade agreement with Vietnam.

As mentioned, ‘Plural Peace’ allows “well-ordered hierarchical” societies and states the right to their own development. It, therefore, refrains from exercising its influence through actively supporting political and social groups. Instead, it emphasizes the transformative power of the good example. This presupposes maintaining open channels of communication and expanding social contacts which is unquestionably more dangerous for authoritarian states than for democratic pluralist ones. In connection with the ‘value gap’, which has widened considerably since 2012 and the return of Vladimir Putin to the office of Russian President, this has proven to be a serious cause of conflict between the EU and Russia. In certain ways it repeats the East-West conflict over basket 3 of the CSCE, favoured by the West with the aim of making borders more permeable and resisted in the East because, to Socialist regimes, the shielding of societies appeared to be a guarantee of their existence.

CSCE experience shows that dissociation in this area is also not an appropriate strategy, even though ‘Plural Peace’ suggests this in order to contain a manifest cause of conflict. This is better served by self-restraint which shifts regime competition to the level of the good example and explicitly renounces policies of active regime change. Such self-restraint, however, will hardly prevent mutual accusations – currently in the form of an

52 See *inter alia* the Bertelsmann Foundation 2016.

'information war' to which both sides see themselves exposed to. It is true that inter-societal exchange also requires reliable rules. However, reciprocity is not the answer here, since, like the practice of reciprocal visas illustrates, it favours the smallest common denominator – and this would lead to further restrictions. Yet it is a question of overcoming the smallest denominator, with the minimum goal of consolidating existing exchanges and networks, and the maximum goal of further liberalizing and expanding them.

In this area, it is the common neighbours that are the subject and not the object of the influence claimed by Russia. This also applies in light of the fact that, as is evident from all relevant indices, the countries in question only differ marginally and hardly muster as beacons of freedom. That EU association could become a success story with effective influence all the way to Moscow – as occasionally purported by Russia's allergic reaction to the Maidan – remains, for the time being, a Eurocentric fantasy of 'Liberal Peace'. It is also clear that a neutral status on security policy by no means implies a neutral status with regard to political regimes. What was possible for Finland and Austria at the height of the Cold War cannot be denied Georgia or Ukraine today.

5.3 A new Grand Bargain

The current level of confrontation between Russia and the West is so high and mutual trust is so low that any rapprochement will need considerable effort. This is possible and justifiable only if the objectives are correspondingly ambitious. It is, therefore, not sufficient to continuing and realigning existing institutions, rules and procedures. The Panel of Eminent Persons, which the Swiss OSCE Presidency in 2014 entrusted with the task of drafting proposals for the further development of the OSCE, failed in the modest goal of 'business as usual'.⁵³ It is also insufficient – as indispensable as this is for practical reasons and as a measure of mutual willingness to reach agreement – to focus on current conflict items, especially the Ukraine crisis, which, as experience shows, can only occur gradually. Rather, what is needed is a much more far-reaching initiative, a new Grand Bargain following the model of the CSCE, ranging from the European security architecture, to arms control and expanding social contacts. This is the only way to prepare a path for a new philosophy of security and cooperation in the sense of 'Plural Peace'.

As in those days, such an initiative is unlikely to succeed at the first attempt. It is also likely that its form and content will differ significantly from the template used at the time of the CSCE. Yet it is crucial that both sides realize the necessity of such a new start and are willing to implement it. This includes self-critically examining one's own orthodoxy and practices since the antagonistic narratives are well known, as is their incompatibility. It will also lead to a number of clashes, both within the alliance and domestically. And it

53 See comments in the "Back to Diplomacy" final report, November 2015, <https://tinyurl.com/yaz8zbty>. The ambitious German OSCE Presidency in 2016 fared not much better and also failed on what it perceived to be Russian intransigence.

calls for coalitions to be formed across the dividing line and for a minimum of mutual respect.⁵⁴

6. How to overcome current conflicts

The chances of a fundamental change in relations between Russia and the West depend not only on the implementation of these principles and procedures, but stand and fall with a resolution of current conflicts. This, too, is a key experience of the period of détente, which first required the new *Ostpolitik* from the German government to pave the way for the pan-European CSCE. The current confrontation was kindled, and is constantly being fuelled, by the conflict over Ukraine. A settlement is, therefore, urgently needed here.

6.1 A new start in Ukraine

When dealing with the Ukraine conflict, instead of adhering to (liberal) principles that block solutions, pragmatism, in the sense of 'Plural Peace', should be employed in such a way that makes solutions possible. In general, there are three conceivable solutions to ethno-territorial conflicts. In situations of clear preferences, if national self-determination were the deciding factor, only the clear cut of independence or, alternatively, accession to the Russian Federation would be conceivable. In contrast, maintaining territorial integrity allows for graduated regulations that take into account both principles through federalization, the creation of autonomous areas, and through safeguarding minority rights, but which, to a certain extent, perpetuate the conflict. In addition, there is also the option of postponing a consensual solution either by preserving the status quo or by setting up an international mandate, the objective of which would be, among other things, to prevent a proliferation of the conflict.

In the case of Crimea, accession to the Russian Federation has already occurred, but international recognition is lacking. In the absence of agreement from Ukraine, this will not happen. Renouncement by Russia is equally inconceivable. There is, therefore, no solution to the conflict in sight, as long as the stand-off between Kiev and Moscow continues. This also means, in reverse, that every movement in the international community is proverbially perceived as a reaffirming or weakening of respective conflict parties.

At the moment, the minimum consensus is to preserve the status quo in order to avoid any encroachment on the other dimensions of the Ukraine conflict. Although this isolation confirms that Russia's breach of international law is not accepted, at the same

⁵⁴ Research shows that states attach importance to respectful treatment and that refusing this makes cooperation more difficult or even blocks it. See Wolf 2008.

time, however, the practical steps remain so moderate that the costs for Moscow are manageable. In other words, the *fait accompli* has been accepted. It is not foreseeable that more can be achieved and Northern Cyprus illustrates that such a situation can last for a long time. This also entails that the EU implements its Crimean sanctions indefinitely in the same way as the embargo on Northern Cyprus.⁵⁵ The regular six-month extensions send neither the necessary signal to Moscow, nor are they suitable for continually reviewing Brussels’ Crimean policy. Nor do they promote the only conceivable compromise that Russia amply compensates Ukraine for the annexation. However, this is not to be achieved in the short term and only in the context of an agreement on other issues.

Defusing the conflict in Donbas is more acute and operationally more difficult because the situation here is far from stable: According to reports by the OSCE Observer Mission, in 2016 alone, there were more than 300,000 confirmed violations of the ceasefire agreed in the Minsk II Agreement in February 2015 and affirmed on many occasions.⁵⁶ According to estimates by Alexander Hug, Deputy Chief of the OSCE Special Monitoring Mission to Ukraine, this is no longer due to a lack of control over franc-tireurs on both sides, but is based on (a lack of) political will which is also reflected in the non-implementation of other parts of the Minsk Agreement.⁵⁷

The Minsk Agreement is burdened with a critical dilemma: On the one hand, it offers the only platform for an organized exchange between the conflict parties and the only roadmap for a possible solution to the conflict. On the other hand, both versions – Minsk I of September 2014 and Minsk II of February 2015 – given the devastating military defeats –, ratified the surrender of Ukraine to superior forces from the East. It was, and is, therefore, foreseeable that Ukraine will do its utmost to procrastinate the constitutional changes being demanded of it (special status of both regional administrative bodies) and legislative initiatives (regional elections, amnesty). There is only one chance to stabilize the conflict and provide a solution in the medium term: the creation of an international mandate in Donbas with an external administration that has at least the competences that the Dayton agreement has granted the High Representative in Bosnia-Herzegovina since 1995. This is, however, countered by the political capital invested by the two guarantor powers of Germany and France in the agreement and the shared opinion in Kiev and Moscow that time is on their side.

55 Since the unilateral Declaration of Independence in 1983, Northern Cyprus is not able to maintain any direct flights or postal connections, is excluded from sporting competitions and its citizens can only travel freely with Cypriot passports. However, Northern Cyprus sends two representatives of the ‘Turkish Cypriot Community’ as observers to the Parliamentary Assembly of the Council of Europe.

56 Here, the OSCE records all ‘explosions’, mainly of heavy weapons, which are actually supposed to be withdrawn from the line of contact according to the Minsk Agreement.

57 Interview with Alexander Hug, OSCE Special Monitoring Mission in Ukraine, Russia Direct, 3 January 2017, in: www.russia-direct.org/qa/2017-stopping-hostilities-ukraine-now-matter-political-will.

6.2 Calibrating sanctions

Sanctions are a key instrument of foreign policy. Their purpose is not only to change the (imputed) cost-benefit calculations of rational actors by inflicting or threatening economic damage and force them to change their behaviour. The purpose of sanctions, and particularly those which are also costly for the sanctioning side, also lies in their signalling effect. They communicate that rejection of the sanctioned behaviour is serious and that further misconduct will be met by a corresponding response (which, in the case of several actors, such as EU members, also includes expressing their unity and cohesion). To this extent, the West's sanctioning of Russia's behaviour in Crimea and in Eastern Ukraine was important and served its purpose.

However, the principle of provident prudence requires regular reviewing of both the signalling effect and the sanctions' prospects of success. These are not the same for the Crimean and Donbas sanctions. The signal the West wanted to send out with Donbas sanctions did not fail to meet its mark. The plans for further territorial expansion towards 'Novorossiya', which were propagandistically implied by Moscow, are no longer being pursued under the present circumstances.⁵⁸ At the same time, however, Moscow is being expressly sanctioned for actions that Kiev is supposed to be performing: the implementation of the Minsk Agreement on the basis of a timetable of measures that allow not much room for doubt. This is neither plausible nor promising. Even more remote is the expectation among neo-conservative circles that sanctions might undermine Putin's system of rule.

Instead, mutual sanctions have led to a suboptimal equilibrium. Both sides were hit economically, but not even the weaker Russian side was impacted so badly that it was compelled to relent. Certainly, the Russian President has also made it repeatedly clear that he wants an end to sanctions – in spite of the allegedly successful programme of import substitution initiated as a result of them. However, the Russian economic crisis in 2015/16 and the subsequent stagnation currently being experienced are, according to prevailing consensus, homemade and caused externally by price fluctuations on the energy markets. It is, therefore, mainly the Moscow 'liberals' that are linking a new attempt at modernization, deregulation and privatization with the hope of creating a cooperative international environment. 'Patriots' of all kinds, however, display a much more favourable appreciation of the sanctions, both for reasons of national consensus and also with the aim of public deficit spending, preferably in the armaments sector. It is, therefore, necessary to consider whom in Moscow continued sanctions support.

The same applies to unity within the EU, for which the sanctions are a test case every six months. It is already clear that it is becoming increasingly difficult and more costly, especially for Germany, to build consensus. Continuing with sanctions, whose *raison d'être* is becoming ever more questionable in the case of Donbas, is rapidly becoming a symbol of dissent ultimately resulting in an exercise which is more detrimental to EU coherence than

⁵⁸ Even if some observers, who too often lose sight of the details in the grand design, see it differently, see more recently Grigas 2016.

beneficial to its Russia policy. There are, therefore, a number of reasons to turn the Donbas sanctions from an instrument of punishment to one of incentives for progress in regional conflict management.

7. Conclusions

The purpose of 'Plural Peace' is to civilize conflicts with normative others and prevent them becoming violent. This requires dealing with the causes of the conflict that has built up between Russia and the West over many years and erupted in Ukraine. However, there is also a need to curb conflict dynamics whose yardsticks are both violations of the ceasefire in Eastern Ukraine and the military posturing on both sides.

Conflict causes and conflict dynamics shape the prism of an increasingly distorted perception. In these circumstances, military reassurance will not lead to stabilization, but will cause the opposite. Robert Jervis pointed out in his seminal work from 1976 (Jervis 1976) that in a situation of mutual distrust, even with a principally defensive orientation, military reassurance does not deter the opponent but triggers a self-propelling arms race. In analogy to the period of détente in the East-West conflict, this would actually be the hour of arms control whose goal is to contribute to stabilization through transparency and building trust. However, we know from this period as well as from theoretical modelling that arms control in such situations requires a long 'run-up'. This should be made possible by our approach of a 'Plural Peace'.

'Plural Peace' builds on the experience of the policy of détente in the 1970s that recognizing the normative other is the prerequisite for fruitful coexistence. The rules for such coexistence are laid down in international law. Re-establishing them in Europe is difficult, given the recent legal violations, but it is not impossible. It is imperative, but requires an appropriate strategy. While 'Liberal Peace' is aimed at transformation and integration, 'Plural Peace' allows for difference and, where necessary, pursues a strategy of dissociation to resolve conflict. Dissociation does not necessarily mean separation and isolation, but determining rights and agreeing rules of conduct. Regarding the central conflict item – finding a balance between the Russian claim to influence and common security and the right of Ukraine and other EU association partners to self-determination – we propose functionally differentiated solutions by and large guided by the position of Austria in the system of the East-West conflict.

'Plural Peace' is aimed primarily at the West as an alternative to 'Liberal Peace'. It would certainly be helpful to find starting points in Moscow that would not only cement the status quo, but also initiate a positive dynamic. Contrary to the assumption of a regime-induced Russian propensity for conflict and expansion, we are of the opinion that Moscow does indeed react to interaction stimuli. However, there can be no certainty about Russian intentions for the obvious reason that only actions and pronouncements of leading politicians can be observed, but not their aims and motives.

In any case, such connecting points are not mandatory. Rather, the West can live with uncertainty about the intentions of the Kremlin; since the inauguration of Donald Trump it has also crept into the own orbit. At its summit in Warsaw in 2016, NATO did what was required to reassure its Eastern alliance members without unduly challenging Russian security interests and without advancing a policy of deterrence, as some have demanded and others declared. Its economic as well as military superiority also allows the West to wait for Russian responses to offers of détente. However, whether such composure also applies to the West itself is, given the recent surge of right-wing populist demagogues, far less certain.

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